

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

TALI WASHBURN,

Plaintiff,

v.

C6-ZERO, LLC,
C6-ZERO IOWA, LLC,
C6-ZERO HOLDINGS, LLC,
SECOND-61, LLC,
ABACUS SOLUTIONS GROUP, LLC,
BRAND TECHNOLOGIES CORPORATION,
DORE LAW GROUP, LLC,
BRANDLICH ASSETS, LLC,
BRANDLICH CONSTRUCTION, LLC,
BRANDLICH ENERGY SOLUTIONS, LLC,
BRANDLICH ENERGY SOLUTIONS
HOUSTON, LLC,
BRANDLICH ENERGY SOLUTIONS SAN
ANTONIO, LLC,
BRANDLICH ENERGY SOLUTIONS
CASPER, LLC,
BRANDLICH ENERGY SOLUTIONS
OREGON, LLC,
BRANDLICH ENERGY SOLUTIONS SAN
JOAQUIN,
BRAND TECHNOLOGIES, LLC,
HOWARD BRAND,
TIM DORE,
CHRISTOPHER KOEHN,
BUFFY KOEHN,
SHANE PULVER,
JOE LAVIGNE,
JOHN DOE ENTITY DEFENDANTS, and,
JOHN DOE DEFENDANTS

Defendants.

Case No. 24-CV-67-LTS-KEM

**DECLARATION OF PLAINTIFF'S
ATTORNEY IN SUPPORT OF
PLAINTIFF'S REPLY AND RESISTANCE
TO DEFENDANT LAVIGNE'S MOTION
TO SET ASIDE DEFAULT**

**DECLARATION OF PLAINTIFF'S ATTORNEY IN SUPPORT OF PLAINTIFF'S REPLY
AND RESISTANCE TO DEFENDANT LAVIGNE'S MOTION TO SET ASIDE DEFAULT**

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. The undersigned serves as counsel for Plaintiff in this matter.
2. The undersigned provided Defendant Joe Lavigne with a settlement offer and notice of suit on or about July 2024 via text message attachment.
3. On September 3, 2024, undersigned mailed a Notice of Lawsuit and Request to Waive Service of Summons (“Notice of Lawsuit”) on Joe Lavigne (“Lavigne”) at the same address that Lavigne was subsequently served at with the summons, Complaint and Plaintiff’s First amended Complaint & Demand for Jury Trial (“Amended Complaint”).
4. Lavigne did not respond to Plaintiff’s Notice of Lawsuit.
5. The undersigned hired a process server to formally serve Lavigne.
6. Service of the summons, Complaint, and Amended Complaint on Lavigne took place on November 7, 2024.
7. Upon information and belief, Joe Lavigne is a sophisticated investor having previously passed a number of securities exams and earning his Series, 7, 24, 55, 63, and 65 certifications and having worked for at least five firms registered with the Financial Industry Regulatory Authority (“FINRA”).
8. Lavigne previously served as the head of the investment banking department at Spencer Edwards, Inc., from approximately 2013 till January 2018.
9. Upon information and belief, Lavigne has previously hired an attorney to defend his interest in matters other than this case and has experience with attorney representation.
10. Lavigne has experience with the judicial process. For example, while at Spencer Edwards, Inc., Lavigne was investigated and deposed by the FINRA Office of Hearing Examiners

and was found to have provided testimony under oath that was not credible.

11. Notice of Plaintiff's subpoena to Lavigne was provided to attorney Micheal Kuehner ("Kuehner") before service on Lavigne.

12. Lavigne has failed to reply to Plaintiff's subpoena served on him November 2, 2025.

13. Plaintiff's counsel attempted to speak with Michael Kuehner ("Kuehner") about Lavigne's Motion to Set Aside Default Judgment.

14. On or about the week of December 15, 2025, undersigned called Kuehner in an effort to understand the veracity of Lavigne's claims in the instant motion and was subsequently informed by Kuehner that he could not discuss the questions being asked of him as a result of attorney-client privilege.

15. Plaintiff's counsel asked Lavigne's current counsel for a date and time to discuss the production of information responsive to Plaintiff's subpoena and was never provided a date or time to meet and confer. Rather, opposing counsel suggested that information would be potentially provided pursuant to a Rule 26 conference and the discovery process or eventually pursuant to the subpoena if Lavigne were dismissed from the suit.

16. The initial disclosures in this case were due on September 15, 2025.

17. The deadline to add additional parties and amend the pleadings expired on October 15, 2025.

Respectfully,

/s/ Joel A. Arends

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Attorney for Plaintiff

The undersigned certifies that on the 14th day of January, 2025, a copy of the foregoing document was filed with the Clerk of Court for the United States Court for the Northern District of Iowa using the CM/EFC system and served electronically on those participants that receive service through the CM/ECF System.

/s/ Joel A. Arends

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